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RESPONSE UNDER
37 C.F.R. § 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 1745

PATENT
0965-0232P

#13
10/13/00

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Toshiro NISHI et al.
Appl. No.: 09/118,833 Group: 1745
Filed: July 20, 1998 Examiner: J. CREPEL
For: SOLID ELECTROLYTE TYPE FUEL BATTERY

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NOTICE OF APPEAL FROM THE
PRIMARY EXAMINER TO THE BOARD OF APPEALS

Assistant Commissioner for Patents
Washington, DC 20231

October 10, 2000

Sir:

Applicants hereby appeal to the Board of Appeals from the decision dated April 10, 2000 of the Primary Examiner finally rejecting claims 4-17.

☐ The enclosed document is being transmitted via the Certificate of Mailing provisions of 37 C.F.R. § 1.8.

The applicant(s) hereby petition(s) for an extension of three (3) month(s) pursuant to 37 C.F.R. §§ 1.17 and 1.136(a).

☐ A Statement Claiming Small Entity Status

☐ is submitted herewith (☐ original ☐ photocopy).

☐ was previously submitted on ____.

The fee has been calculated as shown below:

☐ NO extensions of time have been previously obtained for responding to the Final Rejection. Thus a fee of \$0.00 is required for the full period of the above-requested extension of time.

10/11/2000 SLUANG 00000088 09118833

01 FC:119
02 FC:117

310.00 OP
500.00 OP

- ☒ An extension of two (2) month(s) for responding to the Final Rejection was previously requested and paid for on September 11, 2000. Thus a fee of \$500.00 is required to obtain an additional one (1) month(s) for filing the Notice of Appeal.

The Government fee for filing a Notice of Appeal to the Board of Appeals is calculated as follows:

- ☒ Large entity - \$310.00
☐ Small Entity - \$155.00

Therefore, the TOTAL FEE due for the filing of this Notice of Appeal is \$810.00.

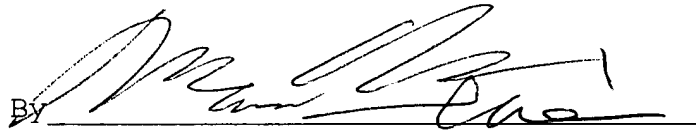
Payment of the above TOTAL FEE is being made in the following manner:

- ☒ A check in the amount of \$810.00 is enclosed.
☐ Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this sheet is attached.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 
Marc S. Weiner, #32,181

edh
MSW/ELH/cms
0965-0232P

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000